

### **REMARKS/ARGUMENTS**

Favorable reconsideration of the present application is requested in view of the comments and amendments made herein.

Claims 18 and 20-24 are amended. Claim 19 is cancelled.

Claims 21-22 were objected to for various informalities, and are now amended as per the Examiner's recommendations. Accordingly, claims 21-22 are considered to be in condition for allowance and withdrawal of the objection is warranted.

Claims 18-24 were rejected under 35 USC 112 as being allegedly indefinite, and claims 18 and 20-24 are now amended as per the Examiner's recommendations. Claim 19 is cancelled. Accordingly, claims 18 and 20-24 are considered to be in condition for allowance and withdrawal of the objection is warranted.

Claims 18-22 were rejected under 35 USC 102(b) as being unpatentable over Hur et al. (EP 1415585). Claim 18 now states, *inter alia*, "wherein the antibiotic agent is provided inside an area of the liquid-bearing domestic appliance which contains stagnant water after drainage, including inside a sump (3), an outlet (4) and/or an outlet tube (6)." Hur does not disclose such structure.

For example, Hur does not propose in any way a liquid-bearing device comprising a sieve system or filter that is provided with at least one antibiotic agent at or adjacent to at least one surface of the sieve system and/or filter, wherein the antibiotic agent is provided inside an area which contains stagnant water after drainage. According to amended claim 18, the antibiotic agent is provided *inside* an area which contains stagnant water after drainage, even in the case of a sieve system or filter that is provided adjacent to one of its surfaces with an antibiotic agent. As a result, the antibiotic agent is claimed with reference to a part that is at or adjacent to a sieve or filter, if said part is itself inside an area which contains stagnant water after drainage.

Claim 18 also recites areas which contain stagnant water after drainage, including a sump, an outlet or the outlet tube. These are regions at the lower end of the wash chamber wherein some residual water might collect even after drainage.

Comparing amended claim 18 with Hur, in particular with the Figures, Hur only proposes to provide an antibiotic agent about the sidewalls or the backwall or the top of the wash chamber, i.e. in no instance inside any region at the bottom of the washchamber which might contain stagnant water after drainage, and even widely spaced apart therefrom. In Hur, the lower ends of

the side wall regions where the net 31 is installed are widely spaced apart from the sump, any outlet or outlet tube, or any similar further region that might comprise stagnant water after draining. Indeed, the nets 31 of Hur are not inside or even near a region that comprises water after drainage.

Thus, it cannot be seen from the Figures of Hur how the nets 31 might be extended downwards into the filter 20. In fact there is a restriction in the lower region of the wash chamber (i.e., see FIG. 2) that makes it impossible to simply let longer nets extend down into the sump.

Moreover, the nets 31 in Hur have been proposed for acoustic purposes to inhibit any spray jet issuing from the spray arm from hitting directly upon the top wall or on the sidewalls of the wash chamber. Hur deals with acoustic decoupling in the first place, and with antibiotic protection only in as far as the specific solution proposed in Hur (i.e., the nets 31) might have a sanitary problem themselves.

There is no incentive in Hur to apply the acoustic decoupling and hence its associated antimicrobial activity also to any region in the bottom of the wash chamber that might contain stagnant water after drainage. The filter 20 in Hur is not sprayed directly with the spray arm, and it is not apparent why the filter 20 would have needed acoustic decoupling, since it has a much smaller area as compared to the side walls and the top wall. Indeed, Hur does not disclose any region of the wash chamber that might comprise stagnant water after drainage.

For at least the reasons above, Hur does not disclose the recited features of claim 18 as is required by law to support a rejection under 35 USC 102(b). Accordingly, claims 18 and 20-22 are considered to be in condition for allowance (claim 19 is cancelled). Withdrawal of this rejection is requested.

Claims 18, 19, and 21-24 were rejected as being unpatentable over Johnson et al. (US 2004/0159337) in view of Imai et al. (JP 05-111451). The rejection is traversed for the following reasons.

Johnson does not propose to use, or even mention, any antimicrobial agent in any component of a dishwasher. Further, Johnson does not disclose any part of a dishwasher wash chamber wherein stagnant water remains after drainage. Jonson only mentions forming the integral bottom, side, rear and top walls by injection molding a plastic material. See paragraph [0031]. Therefore, the alleged combination with Imai according to the Office action can only be

considered to refer to the integral bottom, side, rear and top walls are formed by injection molding.

However, there is no combination of Johnson and Imai that leads to any plastic molded, and antimicrobial-comprising, component of a dishwasher that contains stagnant water after drainage. Water does not remain stagnant after drainage on the bottom of the dishwasher or on the flat filter 207 as shown in Figures 4-5 and 14-16 of Johnson. Rather, water can remain stagnant only inside the sump, an outlet or the outlet tube of the dishwasher.

But Johnson does not mention that the dishwasher sump or any other portion of a dishwasher of the kind that might comprise stagnant water after drainage. Referring again to paragraph [0031], Johnson fails to disclose any such portion of a dishwasher that is formed by molding a plastics material. Hence, the alleged combination with Imai cannot pertain to claim 18.

Usually, a dishwasher sump is formed as a separate component that is fixed from below to an opening in the bottom of the wash chamber, though Johnson does not mention at all the dishwasher sump. However, from Figure 9 it appears that also in Johnson the sump is a separate component. Clearly, there is no mention in Johnson to form any sump or other component of a dishwasher that might comprise stagnant water after drainage by molding a plastic material. Therefore, the alleged combination with Imai does not and cannot apply to for any area of an appliance which contains stagnant water after drainage according to new claim 18.

In contrast, amended claim 18 recites the antibiotic agent with reference to a part that is provided at or adjacent to at least one surface of the sieve system and/or filter, if said part is itself inside an area which contains stagnant water after drainage. Support can be found on at least page 11 of the original specification.

For at least the reasons above, Johnson does not disclose the recited features of claim 18. Imai fails to make up for any of the aforementioned deficiencies of Johnson. And thus, one skilled in the art would not have been motivated by the proposed combination to formulate the structure of claim 18. For at least these reasons, the cited references fail to disclose or render obvious each and every feature set forth in claim 18, as is required by law to support a rejection under 35 USC 103(a). The proposed combination of Johnson and Imai cannot render claim 18 obvious, or any of the claims that depend therefrom. Accordingly, claims 18 and 20-22 are considered to be in condition for allowance (claim 19 is cancelled). Withdrawal of this rejection is requested.

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If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. AEG-40435.

Respectfully submitted,  
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